

LAW OFFICES

SHERMAN, DUNN, COHEN, LEIFER & YELLIG, P. C.

1125 FIFTEENTH STREET, N. W.

SUITE 801

WASHINGTON, D. C. 20005

LAURENCE J. COHEN
ELIHU I. LEIFER
TERRY R. YELLIG
RICHARD M. RESNICK
ROBERT D. KURNICK
VICTORIA L. BOR
NORA H. LEYLAND
MARTIN J. CRANE
SUE D. GUNTER
JONATHAN D. NEWMAN
JAMES E. RUBIN

LOUIS SHERMAN
(1912-1998)

THOMAS K. DUNN
(1911-1991)

AREA CODE 202
785-9300

FACSIMILE
(202) 775-1950

November 10, 1998

Mr. F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket
Federal Election Commission
999 E Street
Washington, D.C. 20463

Re: MUR 4830

Dear Mr. Turley:

This office represents International Brotherhood of Electrical Workers Committee on Political Education ("IBEW COPE"). I am writing to state the position of IBEW COPE in MUR 4830 and to demonstrate why no action should be taken against IBEW COPE or its treasurer in this matter.

This MUR was initiated by a complaint filed by the Republican Party of New Mexico which alleged, among other things, that in 1998 IBEW COPE had contributed more than \$5,000 to the Udall For Us All Committee for a single election. The Act requires the Commission to notify respondents, in writing, of the filing of a complaint within five days. 2 U.S.C. § 437g(a)(1); 11 C.F.R. § 111.5(a). Because the Commission did not comply with that requirement in this matter, which your letter of October 30, 1998 attributes to an "administrative oversight," we submit that the Commission is precluded from proceeding further.

Nevertheless, our records show that no unlawful contributions were made, although an inadvertent error did appear on a report filed by IBEW COPE, which will be corrected.

Specifically, on June 23, 1998, IBEW COPE contributed \$2,500 to Udall For Us All,

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designated for retirement of primary debt. Our understanding from the Udall Committee was, and is, that a primary debt existed at that time, and still exists today. That contribution was reported, correctly, in IBEW COPE's June 1998 report as designated for the primary election.

On August 24, 1998, IBEW COPE contributed \$5,000 to Udall for the general election. Although the contribution was designated for the general, and, as we have been informed by the Udall Committee, was utilized for the general, IBEW COPE incorrectly reported the contribution in its August 1998 report as designated for the primary election. I am enclosing with this letter, IBEW COPE's internal report showing that, in our records, the contribution was designated for the general election. IBEW COPE will file an amended report reflecting the fact that this contribution was intended for the general election.

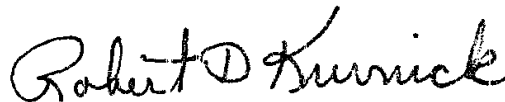
Finally, on October 26, 1998, IBEW COPE made a contribution of \$2,500 to Udall for Us All, designated for retirement of primary debt.

IBEW COPE has thus contributed a total of \$5,000 for the primary election and \$5,000 for the general election. No unlawful contributions were made. A mistake, however, appeared on IBEW COPE's August report, which we are correcting. IBEW COPE regrets the error, but it was simply a clerical error that does not warrant any action by the Commission. The Commission should, therefore, take no action against either IBEW COPE or its treasurer in this matter.

Sincerely,

SHERMAN, DUNN, COHEN, LEIFER & YELLIG, P.C.

By:



Robert D. Kurnick

Last, first: Tom Udall For,
 Mail name: Tom Udall For US Congress
 Salutation: Tom Udall For

Record type: C
 Last update: 11/10/98
 Enter date: 07:17:58

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Mail Address

P. O. Box 208

Santa Fe ,N 87504 -

Phone numbers:

Sex:
 Party:
 Omit: n

Districts:

CD: SD: HD: A: B: C:

Email:
 County: Santa Fe
 Precinct:
 Employer:
 Occupation:

Disbursements

Date	Amount	Per	Type	Batch	Purpose	MCode	Camp	Source	Check#	Invoice	Oper	Category	Auth.	Link	DIS
08/24/98	\$5000.00	G	B	0	1998 General			C	10683	1998	CN		0 1ud11		27
06/23/98	\$2500.00	P	B	0	1998 Pri-Debt			C	10434	1998	CN		0 rd		61